

Legislative Report
University of Virginia -- Office of State Governmental Relations
April 21, 2011

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HB1419 Human papillomavirus vaccination; eliminates requirement of vaccination for female children.

Chief Patron: Byron

Summary:

Eliminates the requirement for vaccination against human papillomavirus for female children.

Status:

01/21/11 House: VOTE: PASSAGE (61-Y 33-N 1-A)

01/24/11 Senate: Constitutional reading dispensed

01/24/11 Senate: Referred to Committee on Education and Health

01/27/11 House: Impact statement from DPB (HB1419)

02/17/11 Senate: Passed by indefinitely in Education and Health (12-Y 3-N)

HB1422 Homestead exemptions; adds one firearm, not to exceed \$3,000 value, to list of exemptions.

Companion Bill: SB839

Chief Patron: Albo

Summary:

Adds one family firearm, not to exceed \$3,000 in value, to the list of items that every householder shall be entitled to hold exempt from creditor process. The bill also increases the maximum exemption for a motor vehicle from \$2,000 to \$6,000. This bill incorporates HB 1471, HB 1494, and HB 2428. This bill is identical to SB 839.

Status:

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Enacted, Chapter 761 (effective 7/1/11)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0761)

HB1436 Automatic dialing-announcing devices; debt collections.

Chief Patron: Loupassi

Summary:

Prohibits a caller from using an automatic dialing-announcing device to make a debt collection communication to a subscriber unless the communication is immediately preceded by a live operator who discloses to the subscriber information about the debt and the purpose of the call, and the subscriber consents to receipt of the communication. In addition, the subscriber shall be provided the opportunity to converse with a live operator in order to notify the caller that the debt is disputed, to request that the caller not make further debt collection communications, or to obtain the name and mailing address of the original creditor. Callers are further prohibited from using an automatic dialing-announcing device to make a debt collection communication (i) to a subscriber within 30 days after being requested by the subscriber not to make such communications and (ii) in a manner that causes the subscriber's telephone to ring repeatedly or continuously with intent to annoy, abuse, or harass.

Status:

11/08/10 House: Prefiled and ordered printed; offered 01/12/11 11100010D

11/08/10 House: Referred to Committee on Commerce and Labor

01/18/11 House: Impact statement from DPB (HB1436)
01/18/11 House: Stricken from docket by Commerce and Labor

HB1440 Unborn children; construing the word 'person' under Virginia law to include.

Chief Patron: Marshall, R.G.

Summary:

Provides that unborn children at every stage of development enjoy all the rights, privileges, and immunities available to other persons, citizens, and residents of the Commonwealth, subject only to the laws and constitutions of Virginia and the United States, precedents of the United States Supreme Court, and provisions to the contrary in the statutes of the Commonwealth.

Status:

02/08/11 House: Read third time and passed House (62-Y 36-N 1-A)
02/08/11 House: VOTE: PASSAGE (62-Y 36-N 1-A)
02/09/11 Senate: Constitutional reading dispensed
02/09/11 Senate: Referred to Committee on Education and Health
02/17/11 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

HB1457 Freedom of Information Act; violations and penalties.

Chief Patron: Marshall, R.G.

Summary:

Doubles the civil penalties imposed for willful and knowing violations of FOIA. The bill also clarifies existing law that officers, employees, and members of public bodies may be subject to the civil penalties for knowing and willful violations of FOIA.

Status:

02/25/11 House: Impact statement from DPB (HB1457ER)
02/26/11 House: Signed by Speaker
02/28/11 Senate: Signed by President
03/22/11 Governor: Approved by Governor-Chapter 327 (effective 7/1/11)
03/22/11 Governor: Acts of Assembly Chapter text (CHAP0327)

HB1465 Higher educational institutions; policies prohibiting admission of illegal aliens.

Chief Patron: Peace

Summary:

Provides that notwithstanding any existing policies regarding limitations on enrollment eligibility, the boards of visitors of the public, post-secondary institutions of higher education, including the State Board of Community Colleges, shall adopt written policies and procedures prohibiting the enrollment of an individual determined to be not lawfully present in the United States.

Status:

02/08/11 House: VOTE: PASSAGE (75-Y 24-N)
02/09/11 Senate: Constitutional reading dispensed
02/09/11 Senate: Referred to Committee for Courts of Justice

02/11/11 Senate: Assigned Courts sub: Immigration

02/22/11 Senate: Left in Courts of Justice

HB1471 Homestead and other exemptions; exemption of real or personal property.

Companion Bill: SB839

Chief Patron: Cole

Summary:

Raises the homestead exemption from real or personal property not exceeding \$5,000 in value to personal property not exceeding \$5,000 in value and real property not exceeding \$25,000 in value. The bill also adds certain specific items of personal property to the list of what a debtor may hold exempt from creditor process and increases from \$2,000 to \$7,500 the value of an automobile that may be held as exempt. The bill also provides that the amount of certain exemptions shall be adjusted for inflation every three years. The bill also provides that a debtor may elect between the exemptions permitted under federal bankruptcy law and Title 34. Current law does not allow a debtor to elect the bankruptcy exemptions. This bill has been incorporated into HB 1422.

Status:

12/07/10 House: Prefiled and ordered printed; offered 01/12/11 11101158D

12/07/10 House: Referred to Committee for Courts of Justice

01/10/11 House: Assigned Courts sub: #2 Civil

01/19/11 House: Subcommittee recommends incorporating (HB1422-Albo)

01/31/11 House: Incorporated by Courts of Justice (HB1422-Albo)

HB1475 Workers' compensation; presumption that certain injuries are work related.

Companion Bill: SB823

Chief Patron: Ware, O.

Summary:

Creates a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related. The presumption arises in a claim for compensation under the Workers' Compensation Act where an employee is physically or mentally unable to testify and there is un rebutted prima facie evidence that the injury was work related. SB 823 is identical.

Status:

02/25/11 House: Impact statement from DPB (HB1475ER)

02/26/11 House: Signed by Speaker

02/28/11 Senate: Signed by President

03/18/11 Governor: Approved by Governor-Chapter 229 (effective 7/1/11)

03/18/11 Governor: Acts of Assembly Chapter text (CHAP0229)

HB1494 Homestead exemption; increases from \$5,000 to \$15,000 for every householder.

Chief Patron: Ware, O.

Summary:

Increases from \$5,000 to \$15,000 the homestead exemption for every householder. This bill has been incorporated into HB 1422.

Status:

12/16/10 House: Prefiled and ordered printed; offered 01/12/11 11101071D

12/16/10 House: Referred to Committee for Courts of Justice

01/10/11 House: Assigned Courts sub: #2 Civil

01/19/11 House: Subcommittee recommends incorporating (HB1422-Albo)

01/31/11 House: Incorporated by Courts of Justice (HB1422-Albo)

HB1498 Plastic bags; use by retailers.

Chief Patron: Ware, O.

Summary:

Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles, (ii) at least 2.25 mils thick, and (iii) specifically designed and manufactured for multiple reuse.

Status:

12/16/10 House: Prefiled and ordered printed; offered 01/12/11 11101590D

12/16/10 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/19/11 House: Tabled in Agriculture, Chesapeake and Natural Resources

HB1499 Unlawful detainer, etc.; storage of tenant's property.

Chief Patron: Ware, O.

Summary:

Provides that when the personal property of a tenant is removed from a premises pursuant to an unlawful detainer, ejectment, or any other action, the property shall be placed in a storage area designated by the landlord. Currently, such property may be placed in such a storage area or in the public way.

Status:

12/16/10 House: Prefiled and ordered printed; offered 01/12/11 11101594D

12/16/10 House: Referred to Committee for Courts of Justice

01/10/11 House: Assigned Courts sub: #2 Civil

01/12/11 House: Subcommittee failed to recommend reporting (4-Y 7-N)

02/08/11 House: Left in Courts of Justice

HB1509 Employment; prohibits discrimination based on sexual orientation.

Chief Patron: Scott, J.M.

Summary:

Prohibits discrimination in employment based on sexual orientation.

Status:

12/17/10 House: Referred to Committee on General Laws

01/14/11 House: Impact statement from DPB (HB1509)

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/01/11 House: Subcommittee recommends incorporating (HB2046-Ebbin)

02/08/11 House: Left in General Laws

HB1559 Audiologists; those with doctoral degree shall not be required to pass exam to obtain a license.

Chief Patron: Scott, E.T.

Summary:

Exempts audiologists with a doctoral degree in audiology licensed to practice in Virginia from the examination requirement for issuance of a license to engage in the practice of fitting or dealing in hearing aids.

Status:

01/31/11 Senate: Constitutional reading dispensed

01/31/11 Senate: Referred to Committee on Education and Health

02/08/11 Senate: Assigned Education sub: Health Licensing

02/17/11 Senate: Passed by indefinitely in Education and Health with letter (10-Y 5-N)

02/17/11 Senate: Letter sent to Departments of Health Professions and Professional & Occupational Regulation

HB1572 ROTC cadets, certain; cadet attending any higher educational institution shall pay in-state tuition.

Chief Patron: Cleaveland

Summary:

Provides that any enrolled cadet in good standing in any Reserve Officers Training Corps (ROTC) unit or any current member of a Reserve Component of the United States Armed Forces attending any public institution of higher education shall pay tuition in an amount no more than the institution's in-state tuition rate.

Status:

01/05/11 House: Prefiled and ordered printed; offered 01/12/11 11100665D

01/05/11 House: Referred to Committee on Education

01/14/11 House: Assigned Education sub: #4 Higher Education and Arts

01/25/11 House: Subcommittee recommends striking from docket

01/31/11 House: Stricken from docket by Education

HB1639 Virginia Nanotechnology Authority; created, report.

Chief Patron: Purkey

Summary:

.Establishes the Virginia Nanotechnology Authority to promote development of nanotechnology in Virginia. The Authority will be responsible for administering a fund to provide industry and institutions of higher education with discovery grants, collaboration grants, and prototype grants. The Authority will be governed by a board of directors and managed by a president at the direction of the Board. The president is responsible for creating a virtual Virginia Nanotechnology Users Network to facilitate research and development of nanotechnology at the Commonwealth's institutions of higher education.

Status:

01/19/11 House: Reported from Science and Technology (21-Y 0-N)

01/19/11 House: Referred to Committee on Appropriations

01/20/11 House: Assigned App. sub: Higher Education

01/31/11 House: Subcommittee recommends incorporating (HB2324-Lingamfelter)

02/04/11 House: Incorporated by Appropriations (HB2324-Lingamfelter)

HB1658 Public-Private Transportation Act of 1995; public entities shall provide notice of receipt, etc.

Chief Patron: Purkey

Summary:

Provides that any responsible public entity that is a state agency receiving a detailed proposal from a private entity for a qualifying transportation facility that is a port facility shall provide notice to the Public-Private Partnership Advisory Commission.

Status:

03/03/11 House: Bill text as passed House and Senate (HB1658ER)

03/03/11 House: Signed by Speaker

03/06/11 Senate: Signed by President

03/25/11 Governor: Approved by Governor-Chapter 589 (effective 7/1/11)

03/25/11 Governor: Acts of Assembly Chapter text (CHAP0589)

HB1671 Public procurement; includes person with disability-owned businesses in provisions.

Chief Patron: Pogge

Summary:

Includes person with a disability-owned business in the public procurement provisions for small, women-owned, and minority-owned businesses. The bill defines "person with a disability-owned business" and "disability." The bill contains technical amendments.

Status:

01/10/11 House: Referred to Committee on General Laws

01/14/11 House: Assigned GL sub: #2 FOIA/Procurement

01/25/11 House: Impact statement from DPB (HB1671)

02/03/11 House: Subcommittee recommends passing by with letter

02/03/11 House: Passed by in General Laws with letter

HB1681 State agencies; those submitting budget request to utilize zero-based budgeting methodology.

Chief Patron: Bell, Richard P.

Summary:

Whenever a state agency which receives General Fund revenue requests the Governor or his designee for funding to be included in the Governor's next Executive Budget, the state agency shall submit its budget request utilizing a zero-based budgeting methodology.

Status:

01/10/11 House: Referred to Committee on Appropriations

01/13/11 House: Assigned App. sub: Technology Oversight and Government Activities

01/24/11 House: Impact statement from DPB (HB1681)

01/25/11 House: Subcommittee recommends laying on the table (6-Y 0-N)

02/08/11 House: Left in Appropriations

HB1722 Freedom of Information Act; designation of records, penalties for certain violations.

Chief Patron: Marshall, R.G.

Summary:

Requires that at the time of creation of any public record, the custodian of such records that are subject to FOIA shall designate whether the record is subject to FOIA's mandatory disclosure provisions or otherwise exempt from disclosure. The bill requires that such designation shall appear on the face of the record and be updated by the custodian in a timely manner in the event of any changes. Failure to make the required designation shall, upon receipt of a request for such record, waive any charge authorized under FOIA. The bill also provides that in addition to the civil penalty under FOIA, a public employee found to have committed a willful and knowing violation of FOIA may be subject to other disciplinary action, including suspension, demotion, or termination of public employment. The bill contains technical amendments.

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11100801D

01/10/11 House: Referred to Committee on General Laws

01/14/11 House: Assigned GL sub: #2 FOIA/Procurement

01/20/11 House: Subcommittee recommends passing by with letter

01/25/11 House: Passed by in General Laws with letter

HB1727 Virginia Fair Employment Act; certain public contractors, etc., to enroll in E-Verify Program.

Chief Patron: Carrico

Summary:

Requires public contractors, employers with 15 or more employees within the Commonwealth, and localities to enroll in the E-Verify Program by December 1, 2011, and to use the Program for each newly hired employee who is to perform work within the Commonwealth. Employers and contractors that fail to do so are subject to suspension or revocation of certain licenses and invalidation of public contracts. Licenses will be reinstated when an employer or contractor enrolls in the Program or, if already enrolled but not using the Program, prepares and implements a compliance plan.

Status:

02/08/11 House: VOTE: PASSAGE (76-Y 23-N)

02/09/11 Senate: Constitutional reading dispensed

02/09/11 Senate: Referred to Committee for Courts of Justice

02/11/11 Senate: Assigned Courts sub: Immigration

02/22/11 Senate: Left in Courts of Justice

HB1817 Green Public Buildings Act; definitions, building standards.

Companion Bill: SB832

Chief Patron: Hope

Summary:

Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square

feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the LEED Silver or Green Globes two globe standard. The buildings shall be designed, constructed, verified, and operated to achieve energy savings that exceed the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004 (Energy Standard for Buildings Except Low-Rise Residential Buildings) by at least 15 percent for new construction and 10 percent for major renovation. In addition, water systems designed for such buildings shall be required to provide water use savings of at least 25 percent over the baseline standard established in the federal Energy Policy Act of 1992. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or by the governing body of a locality or school board for local projects.

Status:

01/17/11 House: Impact statement from DPB (HB1817)

01/26/11 House: Impact statement from DHCD (HB1817)

02/02/11 House: Assigned GL sub: #2 FOIA/Procurement

02/03/11 House: Subcommittee recommends incorporating (HB2262-Morgan)

02/08/11 House: Left in General Laws

HB1836 Infants; blood sample provided to parents.

Chief Patron: O'Bannon

Summary:

Requires every hospital providing maternity care to offer to obtain a sample of blood from an infant born at the hospital and provide that sample to the mother of the infant. This bill has a delayed effective date of July 1, 2012.

Status:

03/03/11 House: Impact statement from DPB (HB1836ER)

03/03/11 House: Signed by Speaker

03/06/11 Senate: Signed by President

03/26/11 Governor: Approved by Governor-Chapter 621 (effective 7/1/12)

03/26/11 Governor: Acts of Assembly Chapter text (CHAP0621)

HB1848 Tuition, in-state; eligibility for spouse of an active duty military service member.

Companion Bill: SB1279

Chief Patron: Stolle

Summary:

Ensures that the established Virginia domicile of a spouse of an active duty military service member, and therefore in-state tuition eligibility, must not be affected by the establishment and maintenance of a place of residence in another jurisdiction for the purpose of maintaining a joint household with such member. The bill also provides that the spouse of an active duty military service member, if such spouse has established domicile and claimed a dependent student on federal or state income tax returns, must not be subject to minimum income tests or requirements. This bill is identical to SB 1279.

Status:

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Enacted, Chapter 782 (effective 7/1/11)
04/06/11 Governor: Acts of Assembly Chapter text (CHAP0782)

HB1861 Tuition, in-state; eligibility for veterans who elect to establish Virginia as residence.

Companion Bill: SB824

Chief Patron: Anderson

Summary:

Authorizes certain veterans who elect to establish Virginia as their permanent residence for domiciliary purposes to establish immediate residency in Virginia and become eligible for in-state tuition, rather than waiting the required one-year period. This bill is identical to SB 824.

Status:

02/17/11 House: Impact statement from DPB (HB1861ER)
02/17/11 House: Signed by Speaker
02/20/11 Senate: Signed by President
03/10/11 Governor: Approved by Governor-Chapter 38 (effective 7/1/11)
03/10/11 Governor: Acts of Assembly Chapter text (CHAP0038)

HB1910 Cambridge Advanced Exams; course credit.

Companion Bill: SB1448

Chief Patron: Miller, J.H.

Summary:

Requires the governing boards of each public institution of higher education to implement policies regarding the granting of credit for Cambridge Advanced (A/AS) examinations. The bill also provides that each institution's policy for course credit for Cambridge Advanced (A/AS) courses must be comparable to its policies for granting course credit for Advanced Placement courses. This bill is identical to SB 1448.

Status:

02/26/11 House: Signed by Speaker
02/28/11 Senate: Signed by President
03/03/11 House: Impact statement from DPB (HB1910ER)
03/24/11 Governor: Approved by Governor-Chapter 462 (effective 7/1/11)
03/24/11 Governor: Acts of Assembly Chapter text (CHAP0462)

HB1964 Public employment; prohibits discrimination based on race, color, etc.

Chief Patron: Rust

Summary:

Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a veteran. The bill contains technical amendments.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11103559D

01/11/11 House: Referred to Committee on General Laws
01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process
02/01/11 House: Subcommittee recommends incorporating (HB2046-Ebbin)
02/08/11 House: Left in General Laws

HB2002 Tuition, out-of-state; boards of visitors to set charges based on competitive market rates.

Chief Patron: LeMunyon

Summary:

Requires the boards of visitors of every public institution of higher education in the Commonwealth to set tuition and fee charges at levels they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates, provided that the tuition and mandatory educational and general fee rates for nonresident undergraduate students are at least 100 percent of the average cost of their education. The determination of competitive market rates shall consider tuition and fees charged at comparable private and public institutions of higher education within the Commonwealth or in another state, totaling at least five, which are most similar to the public institution of higher education with respect to total undergraduate enrollment, undergraduate student body academic qualifications, and to which a significant number of students of the institution of higher education also applied. Additionally, at the time that undergraduate tuition is determined by each board of visitors, the board of visitors must include in its meeting records the tuition rates at comparable private institutions and any other factors used in establishing the undergraduate tuition and fees.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11100152D
01/11/11 House: Referred to Committee on Education
01/18/11 House: Assigned Education sub: #4 Higher Education and Arts
01/25/11 House: Subcommittee recommends laying on the table
02/08/11 House: Left in Education

HB2039 Construction management; limits use of at-risk method for building construction projects.

Chief Patron: Cox, J.A.

Summary:

Limits the use of the construction management at-risk method for building construction to projects with a total value of \$25 million or more. The bill also amends the definition of "qualifying project" in the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) to require that the project be totally supported by private funds.

Status:

01/17/11 House: Assigned GL sub: #2 FOIA/Procurement
01/17/11 House: Impact statement from DPB (HB2039)
01/27/11 House: Subcommittee recommends passing by with letter
02/01/11 House: Passed by in General Laws with letter
02/02/11 House: Impact statement from DHCD (HB2039)

HB2046 Public employment; nondiscrimination.

Chief Patron: Ebbin

Summary:

Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a veteran. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11100795D

01/11/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/01/11 House: Subcommittee recommends laying on the table

02/08/11 House: Left in General Laws

HB2047 Virginia Waterways Clean Up and Consumer Choice Act; paper and plastic bag fee.

Chief Patron: Ebbin

Summary:

Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses.

Status:

01/11/11 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #1

01/25/11 House: Impact statement from TAX (HB2047)

01/26/11 House: Subcommittee recommends laying on the table

02/08/11 House: Left in Finance

HB2053 Higher educational institutions; board of visitors set rules so 75% enrolled be Virginia domiciles.

Chief Patron: Hugo

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that at least 75 percent of students admitted and enrolled at the institution be Virginia domiciles.

Status:

01/31/11 House: Referred from Education

01/31/11 House: Referred to Committee on Appropriations

01/31/11 House: Assigned App. sub: Higher Education
02/02/11 House: Subcommittee recommends laying on the table (8-Y 0-N)
02/08/11 House: Left in Appropriations

HB2063 Protective orders; expands class of persons eligible to obtain.

Companion Bill: SB1222

Chief Patron: Bell, Robert B.

Summary:

Renames "protective orders for stalking" as "protective orders" and expands the class of persons that is eligible to obtain a protective order by enlarging the types of conduct that permit the issuance of a protective order from certain specified criminal acts to any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury. Such protective orders are available based on such conduct, regardless of the relationship of the parties involved. The bill also makes several amendments to make protective orders and family abuse protective orders more consistent, including amending the definition of "family abuse" to be consistent with the conduct that would allow for the issuance of a "protective order" and providing that a family abuse protective order may include a condition prohibiting the allegedly abusing person from committing a criminal offense that results in injury to person or property. The bill also makes the penalties for violating a protective order consistent with the penalties for violating a family abuse protective order: (i) any person convicted of a second violation of a protective order, when the offense is committed within five years of a conviction for a prior offense and when either the instant or prior offense was based on an act or threat of violence, shall be sentenced to a mandatory minimum term of confinement of 60 days; (ii) any person convicted of a third or subsequent offense, when such offense is committed within 20 years of the first conviction and when either the instant or any of the prior offenses was based on an act or threat of violence, is guilty of a Class 6 felony and punishment shall include a mandatory minimum term of confinement of six months; (iii) any person who commits an assault and battery resulting in serious bodily injury upon a person protected by a protective order is guilty of a Class 6 felony; and (iv) any person who violates a protective order by furtively entering the home of the protected party while such party is present or enters and remains in such home until the protected party arrives is guilty of a Class 6 felony. This bill incorporates HB 1716, HB 1876, HB 2340, and HB 2422. This bill is identical to SB 1222.

Status:

03/04/11 House: Impact statement from VCSC (HB2063ER)
03/06/11 Senate: Signed by President
03/24/11 Governor: Approved by Governor-Chapter 480 (effective 7/1/11)
03/24/11 Governor: Acts of Assembly Chapter text (CHAP0480)
03/29/11 House: Impact statement from DPB (HB2063ER)

HB2068 Health Care Decisions Act; medically inappropriate treatment.

Chief Patron: Bell, Robert B.

Summary:

Clarifies that for the purpose of determining when a physician may refuse to provide medically or ethically inappropriate treatment, medical treatment shall not be deemed medically or ethically inappropriate on the basis of a view (i) that values extending the life of a younger, nondisabled, non-terminally ill individual more than extending the life of an elderly, disabled, or terminally ill individual; or (ii) different from that of the patient, or the individual

authorized to act on the patient's behalf, on the tradeoff between extending the length of the patient's life and the risk of disability.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11102690D

01/11/11 House: Referred to Committee on Health, Welfare and Institutions

01/21/11 House: Assigned HWI sub: #1

01/24/11 House: Subcommittee recommends laying on the table

02/08/11 House: Left in Health, Welfare and Institutions

HB2076 Inspector General, Office of; established.

Companion Bill: SB1477

Chief Patron: Landes

Summary:

Establishes the Office of the State Inspector General to be headed by a State Inspector General to investigate complaints alleging fraud, waste, abuse, or corruption by a state agency or nonstate agency or the officers and employees thereof. The bill also authorizes the State Inspector General to examine the management and operation of state agencies. The bill defines "nonstate agency" and provides a record exemption under the Freedom of Information Act for certain investigative/audit documents of the Office. The bill consolidates the offices of inspector general of the Departments of Behavioral Health and Developmental Services, Corrections, Juvenile Justice, and Transportation and the Department of the State Internal Auditor into this new office, and adds responsibility for tobacco indemnification and revitalization. The bill contains technical amendments and has a delayed effective date. The bill is identical to SB 1477.

Status:

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Enacted, Chapter 798 (effective - see bill)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0798)

HB2090 Emergency custody orders; increases hours in which orders must be executed after its issuance.

Chief Patron: Herring

Summary:

Increases from four to six hours the time in which an emergency custody order must be executed after its issuance.

Status:

02/22/11 House: Bill text as passed House and Senate (HB2090ER)

02/22/11 House: Signed by Speaker

02/23/11 Senate: Signed by President

03/18/11 Governor: Approved by Governor-Chapter 249 (effective 7/1/11)

03/18/11 Governor: Acts of Assembly Chapter text (CHAP0249)

HB2097 Architect or professional engineers; required to maintain an error and omissions policy.

Chief Patron: Jones

Summary:

Provides that the Board shall, by regulation, require each architect or professional engineer to maintain an errors and omissions policy that is acceptable to the Board and to provide a certification or attestation that such policy is in effect as a prerequisite to license issuance or renewal.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11102192D

01/12/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

01/25/11 House: Subcommittee recommends passing by indefinitely

02/08/11 House: Left in General Laws

HB2101 Landlord enforcement; locality may hold landlords responsible for certain violations of tenants.

Chief Patron: Bulova

Summary:

Affords localities located where there are four-year institutions of higher learning the option of adopting an ordinance to hold landlords responsible for tenants who continually violate sections of the Code dealing with drinking in public, urinating in public and profanity. The landlord will receive prompt notice when the tenant is convicted and if the tenant is convicted three times within a one-year period, and the landlord does not take curative steps, he is then fined. The bill provides localities the proper tools to ensure indifferent landlords take measures in situations where tenants are disruptive to neighborhood stability. This bill was endorsed by the Virginia Housing Commission.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101973D

01/12/11 House: Referred to Committee on Counties, Cities and Towns

01/19/11 House: Assigned CC & T sub: #2

01/27/11 House: Subcommittee failed to recommend reporting (4-Y 7-N)

02/08/11 House: Left in Counties, Cities and Towns

HB2140 UVA; to make full use of additional financial authority granted in management agreement.

Companion Bill: SB1110

Chief Patron: Johnson

Summary:

Clarifies that the University of Virginia is authorized to make full use of the additional financial and operational authority granted to it in its management agreement in providing assistance to the Southwest Virginia Higher Education Center. This bill is identical to SB 1110.

Status:

02/17/11 House: Signed by Speaker

02/20/11 Senate: Signed by President

02/25/11 House: Impact statement from DPB (HB2140ER)
03/15/11 Governor: Approved by Governor-Chapter 116 (effective 7/1/11)
03/15/11 Governor: Acts of Assembly Chapter text (CHAP0116)

HB2196 Government Transparency Advisory Council; established, searchable database website established.

Chief Patron: Comstock

Summary:

Establishes a searchable database website that would allow persons to search and aggregate information including but not limited to (i) individual or specific appropriations or budget items, (ii) state agency spending and procurement data, (iii) financial disclosure statements, (iv) audit and state agency performance reports, and (v) contact information for public records access purposes. Under the bill, the searchable database website will be developed and maintained by the Department of Planning and Budget and is required to be operational by July 1, 2012. When fully operational, all data in the database would be maintained for a minimum of 10 years. The bill requires the Department to work with the Auditor of Public Accounts and the Joint Legislative Audit and Review Commission to avoid duplication of effort. The bill also establishes the Government Transparency Advisory Council to advise the Department on the practical usability of the website, considering all intended end users.

Status:

02/03/11 House: Subcommittee recommends referring to Committee on Appropriations
02/03/11 House: Reported from General Laws (20-Y 0-N)
02/03/11 House: Referred to Committee on Appropriations
02/04/11 House: Assigned App. sub: Technology Oversight and Government Activities
02/08/11 House: Left in Appropriations

HB2201 Payroll Services Bureau; DPB to require participation of executive branch state agencies.

Chief Patron: Comstock

Summary:

Provides that the Department of Planning and Budget, in consultation with the Department of Accounts, shall require all agencies of the Commonwealth to participate to the fullest extent feasible in the Payroll Service Bureau operated by the Department of Accounts. Any agency identified by the Department of Planning and Budget not participating in the Payroll Service Bureau as of July 1, 2011, may be exempted from such participation if it can demonstrate to the satisfaction of the Department of Planning and Budget that participation is not feasible or fiscally advantageous.

Status:

03/03/11 House: Impact statement from DPB (HB2201ER)
03/03/11 House: Signed by Speaker
03/06/11 Senate: Signed by President
03/15/11 Governor: Approved by Governor-Chapter 122 (effective 7/1/11)
03/15/11 Governor: Acts of Assembly Chapter text (CHAP0122)

HB2207 State employees; removes statutory formulas for calculating sick leave & personal leave.

Chief Patron: Comstock

Summary:

Removes the statutory formulas for calculating sick leave and family and personal leave for state employees. The Department of Human Resource Management would establish the formulas for calculating state employee leave by policy.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11103072D

01/12/11 House: Referred to Committee on Appropriations

01/18/11 House: Assigned App. sub: Compensation and Retirement

01/19/11 House: Impact statement from DPB (HB2207)

02/08/11 House: Left in Appropriations

HB2246 Tuition, in-state; certain civilian employees of Department of Defense employees shall pay.

Chief Patron: Torian

Summary:

Provides that any civilian employees of the Department of Defense who are realigned to Virginia as a result of Base Realignment and Closure, and their dependents, shall pay the in-state tuition rate at the public institution of higher education in which they are enrolled.

Status:

01/31/11 House: Referred from Education

01/31/11 House: Referred to Committee on Appropriations

01/31/11 House: Assigned App. sub: Higher Education

02/02/11 House: Subcommittee recommends laying on the table

02/08/11 House: Left in Appropriations

HB2262 Green Public Buildings Act; definitions, building standards.

Chief Patron: Morgan

Summary:

Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building to build to either U.S. Green Building Council Leadership in Energy and Environmental Design green building rating standard (LEED) Silver or Green Globes two globe standards. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects. The bill has a delayed implementation date of July 1, 2012, for local public bodies and school boards.

Status:

01/17/11 House: Impact statement from DPB (HB2262)

01/26/11 House: Impact statement from DHCD (HB2262)

02/03/11 House: Assigned GL sub: #2 FOIA/Procurement

02/03/11 House: Subcommittee recommends no action

02/08/11 House: Left in General Laws

HB2300 Planning and Budget, Department of; budget performance data provided by state agencies.

Chief Patron: Englin

Summary:

Requires each state agency to conduct an annual review and prioritization of its operations and programs. Under the bill, each agency shall develop a list of its three highest and three lowest priorities and include them in the budget estimates submitted to the Department of Planning and Budget. The bill also provides for the head of each state agency to designate an existing employee to serve as the agency's Performance Improvement Officer to assist in ensuring that the mission and goals of the agency are achieved through strategic and performance planning and measurement pursuant to the performance management system established by the Department.

Status:

01/12/11 House: Referred to Committee on General Laws

01/20/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

01/24/11 House: Impact statement from DPB (HB2300)

02/01/11 House: Subcommittee recommends no action

02/08/11 House: Left in General Laws

HB2324 Virginia Research and Technology Investment Program; created, report.

Companion Bill: SB1485

Chief Patron: Lingamfelter

Summary:

Amends the Commonwealth Research Commercialization Fund (CRCF) to allow for awards for a matching funds program and an eminent researcher program. The bill also expands upon the Innovation and Entrepreneurship Investment Authority's (IEIA) current responsibility to develop a strategic roadmap for research in the Commonwealth. The roadmap shall identify areas of focus for research investment in the Commonwealth based upon criteria set forth in the bill, and any awards from the CRCF must fall into one of these areas of focus. The bill establishes a Research and Technology Investment Advisory Committee to assist the IEIA in making awards from the CRCF by ensuring that applications considered for awards are based upon sound science and research, are in an area of focus identified in the roadmap, and present significant potential for commercialization in the Commonwealth. This bill incorporates HB 2250 and HB 1639. This bill is identical to SB 1485.

Status:

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Enacted, Chapter 816 (effective 4/6/11)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0816)

HB2328 Six-Year Capital Outlay Plan; process by which agencies' requests for capital project are presented.

Companion Bill: SB1428

Chief Patron: Lingamfelter

Summary:

Specifies the process by which agencies' requests for capital projects are presented to the Six-Year Capital Outlay Plan Advisory Committee and the process the Advisory Committee shall follow.

Status:

02/17/11 House: Signed by Speaker

02/20/11 Senate: Signed by President

03/09/11 House: Impact statement from DPB (HB2328ER)

03/26/11 Governor: Approved by Governor-Chapter 697 (effective 7/1/11)

03/26/11 Governor: Acts of Assembly Chapter text (CHAP0697)

HB2340 Protective orders; expands class of persons eligible to include those in dating relationship.

Chief Patron: Morrissey

Summary:

Expands the class of persons who is eligible to obtain a protective order in cases of family abuse to include persons who are in a dating relationship and who have been subjected to dating relationship abuse. The bill also defines the terms "dating relationship" and "dating relationship abuse." This bill has been incorporated into HB 2063.

Status:

01/13/11 House: Impact statement from VCSC (HB2340)

01/25/11 House: Impact statement from DPB (HB2340)

02/01/11 House: Assigned Courts sub: #1 Criminal

02/02/11 House: Subcommittee recommends incorporating (HB2063-Bell, Robert B.)

02/04/11 House: Incorporated by Courts of Justice (HB2063-Bell, Robert B.)

HB2346 Higher educational institutions; compensation of athletic coaches.

Chief Patron: Morrissey

Summary:

Requires that the board of visitors of every public institution of higher education adopts and implements policies such that the annual total compensation provided to any coach of an intercollegiate athletic team shall not include more than \$300,000 of state funding.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11102911D

01/12/11 House: Referred to Committee on Education

01/18/11 House: Assigned Education sub: #4 Higher Education and Arts

02/02/11 House: Passed by indefinitely in Education

HB2373 Medical malpractice; privileged communications of certain committees.

Companion Bill: SB1469

Chief Patron: Peace

Summary:

Provides that nothing in the statute governing privileged communications of certain health committees shall be construed as providing any privilege to any health care provider, emergency medical services agency, community services board, or behavioral health authority with respect to any factual information regarding specific patient health care or treatment, including patient health care incidents, whether oral, electronic, or written. However, the analysis, findings, conclusions, recommendations, and the deliberative process of any medical staff committee, utilization review committee, or other committee, board, group, commission, or other entity, as well as the proceedings, minutes, records, and reports, including the opinions and reports of experts, of such entities shall be privileged in their entirety under the aforementioned statute. This bill incorporates HB 2377. This bill is identical to SB 1469.

Status:

02/16/11 House: Impact statement from DPB (HB2373ER)
02/16/11 House: Signed by Speaker
02/16/11 Senate: Signed by President
02/25/11 Governor: Approved by Governor-Chapter 15 (effective 7/1/11)
02/25/11 Governor: Acts of Assembly Chapter text (CHAP0015)

HB2375 Commonwealth Project Management Standard; created for information technology projects, etc.

Chief Patron: O'Bannon

Summary:

Provides for the creation of the Commonwealth Project Management Standard, by which information technology projects in state agencies and most public institutions of higher education will be initiated, procured and governed. Also, this bill clarifies the roles of the Secretary of Technology and the Chief Information Officer (CIO) in the governance and oversight of technology projects. Projects shall be approved or disapproved by either the Secretary of Technology or the CIO based on the overall cost, as well as the overall risk and complexity of the project.

Status:

02/26/11 House: Signed by Speaker
02/28/11 Senate: Signed by President
03/01/11 House: Impact statement from DPB (HB2375ER)
03/28/11 Governor: Approved by Governor-Chapter 739 (effective 7/1/11)
03/28/11 Governor: Acts of Assembly Chapter text (CHAP0739)

HB2377 Medical malpractice; privileged communications of certain committees.

Chief Patron: Cleaveland

Summary:

Provides that factual information, whether written or oral, regarding specific patient care and treatment, including patient care incidents occurring within a health care facility, are not subject to the privilege granted to certain committees and entities. Currently, oral communications regarding a specific incident regarding patient care are privileged if made more than 24 hours after the incident. The bill also provides that the privilege enjoyed by such committees and entities applies only to communications originating with them and not communications provided to them. The bill also provides that reports of patient safety data in possession of a patient safety organization are discoverable if the reports are made available or required to be made available to health regulatory boards or other

agencies by state or federal law. The bill further provides that the policies and procedures of such organizations and entities are not privileged and may be admissible in civil, criminal, or administrative hearings. This bill has been incorporated into HB 2373.

Status:

01/13/11 House: Presented and ordered printed 11102177D
01/13/11 House: Referred to Committee for Courts of Justice
01/14/11 House: Assigned Courts sub: #2 Civil
01/19/11 House: Subcommittee recommends incorporating (HB2373-Peace)
01/31/11 House: Incorporated by Courts of Justice (HB2373-Peace)

HB2383 Freedom of Information Act; court review in cases of requester harassment.

Chief Patron: Lewis

Summary:

Allows any public body to petition an appropriate court for a summary determination whether a requester, in making a request for records, is intending to harass or otherwise abuse the rights or privileges granted by FOIA or whether such request is overly burdensome on the public body.

Status:

01/13/11 House: Presented and ordered printed 11100818D
01/13/11 House: Referred to Committee on General Laws
01/20/11 House: Assigned GL sub: #2 FOIA/Procurement
02/03/11 House: Subcommittee recommends laying on the table
02/08/11 House: Left in General Laws

HB2386 Concealed weapons permit; authorizes person to obtain permit to carry any lawfully possessed weapon.

Chief Patron: Miller, J.H.

Summary:

Authorizes a person to obtain a permit to carry any lawfully possessed weapon in a concealed manner, and not just a handgun.

Status:

01/14/11 House: Presented and ordered printed 11103333D
01/14/11 House: Referred to Committee on Militia, Police and Public Safety
01/24/11 House: Assigned MPPS sub: #1
01/27/11 House: Subcommittee recommends passing by with letter
02/08/11 House: Left in Militia, Police and Public Safety

HB2408 State agencies; requires notice to localities of certain state projects.

Chief Patron: Ware, R.L.

Summary:

Requires that notice of certain state capital projects involving new construction costing at least \$500,000 be sent to localities by registered mail and specifies that the notice shall be sent prior to, rather than during, the planning phase

of the project. Failure of any state agency to strictly comply with such requirements will justify entry of an injunction on behalf of the locality.

Status:

03/03/11 House: Signed by Speaker

03/04/11 House: Impact statement from DPB (HB2408ER)

03/06/11 Senate: Signed by President

03/26/11 Governor: Approved by Governor-Chapter 699 (effective 7/1/11)

03/26/11 Governor: Acts of Assembly Chapter text (CHAP0699)

HB2410 Retirement System; optional defined contribution retirement program for state and local employees.

Companion Bill: SB1115

Chief Patron: Putney

Summary:

Creates an optional defined contribution retirement program and other related benefits for state and local employees beginning January 1, 2012.

Status:

02/08/11 House: VOTE: PASSAGE (72-Y 26-N)

02/09/11 Senate: Constitutional reading dispensed

02/09/11 Senate: Referred to Committee on Finance

02/11/11 House: Impact statement from VRS (HB2410H1)

02/21/11 Senate: Passed by indefinitely in Finance (10-Y 5-N)

HB2416 Accountability and Performance Review Commission; established.

Chief Patron: Stolle

Summary:

Establishes the Accountability and Performance Review Commission to review agencies on an eight-year cycle and advise the General Assembly on the elimination of waste, duplication, and inefficiency on the part of such agencies.

Status:

01/18/11 House: Presented and ordered printed 11104001D

01/18/11 House: Referred to Committee on Rules

01/25/11 House: Tabled in Rules

HB2447 Renewable energy incentives; created for development of renewable energy facilities in State.

Chief Patron: Cosgrove

Summary:

Creates incentives for the development of renewable energy facilities in the Commonwealth. The incentives include (i) clarifying the definition of renewable energy to include wood waste materials; (ii) establishing a preference in energy procurement for state facilities for the use of renewable energy; (iii) directing the establishment of goals for the

increased use by state agencies of renewable energy that will seek to have 20 percent of the energy consumed at state facilities to be renewable energy by 2025; (iv) allowing the Department of General Services to contract for renewable energy on a negotiated basis without using a competitive procurement process; (v) establishing a program to be administered by the Virginia Resources Authority under which 70 percent of the amount of loans for the capital cost of a qualifying facility may be guaranteed; and (vi) expanding the existing permit-by-rule program for small renewable energy facilities to include all renewable energy facilities, regardless of size.

Status:

01/19/11 House: Presented and ordered printed 11104106D
01/19/11 House: Referred to Committee on Commerce and Labor
01/21/11 House: Assigned C & L sub: #3 Special Subcommittee on Energy
01/25/11 House: Subcommittee recommends passing by with letter
02/08/11 House: Left in Commerce and Labor

HB2465 Virginia Retirement System; defined contribution retirement program for state and local employees.

Chief Patron: Jones

Summary:

Creates a defined contribution retirement program for state and local employees hired on or after January 1, 2012, in place of the current defined benefit plan. Employees hired prior to January 1, 2012, may elect to become members of the defined contribution plan in lieu of the current defined benefit plan.

Status:

01/24/11 House: Assigned App. sub: Compensation and Retirement
01/31/11 House: Impact statement from VRS (HB2465)
02/01/11 House: Subcommittee recommends no action
02/02/11 House: Subcommittee recommends incorporating (HB2410-Putney)
02/02/11 House: Incorporated by Appropriations (HB2410-Putney)

HB2490 Campus police; report of certain incidents to local law-enforcement agency.

Chief Patron: Miller, P.J.

Summary:

Requires the chief law-enforcement officer of a public or private institution of higher education to report the death or an alleged rape of any person on campus property to the local law-enforcement agency of the locality in which the institution is located. The local law-enforcement agency would assume responsibility for leading the investigation, with cooperation from the institution of higher education.

Status:

01/21/11 House: Presented and ordered printed 11104027D
01/21/11 House: Referred to Committee on Militia, Police and Public Safety
01/24/11 House: Assigned MPPS sub: #3
02/04/11 House: Passed by in Militia, Police and Public Safety with letter

HB2496 Capital outlay plan; sets forth 6-year plan for project funded entirely from general fund resources.

Companion Bill: SB1371

Chief Patron: Putney

Summary:

Sets forth a six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Status:

02/24/11 Senate: Senators: Colgan, Hanger, Marsh

02/24/11 House: Conferees appointed by House

02/24/11 House: Delegates: Putney, Jones, Joannou

02/27/11 House: No further action taken

02/27/11 House: Failed to pass in House

HB2510 Virginia Higher Education Opportunity Act of 2011; established, report.

Companion Bill: SB1459

Chief Patron: Cox, M.K.

Summary:

Establishes the Virginia Higher Education Opportunity Act of 2011 for the purpose of fueling strong economic growth in the Commonwealth and preparing Virginians for the top job opportunities in the knowledge-driven economy of the 21st century. The bill provides for (i) a new higher education funding policy; (ii) the calculation of the state general fund share of an institution's basic operations and instruction funding need; (iii) per student enrollment-based funding; (iv) targeted economic and innovation incentives; (v) the creation of a STEM Public-Private Partnership; and (vi) the creation of a Higher Education Advisory Committee. The bill also makes technical amendments. This bill is a recommendation of the Governor's Commission on Higher Education Reform, Innovation and Investment. This bill is identical to SB 1459.

Status:

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Enacted, Chapter 828 (effective 7/1/11)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0828)

HB2515 Health records; disclosure requirements.

Chief Patron: BaCote

Summary:

Clarifies that a health care entity is required to share, at the request of the subject of the records, health records with other health care entities, in the format requested by the individual in the manner authorized by the federal law unless (i) the electronic format is not reasonably available without additional cost to the health care entity, (ii) the records would be subject to modification in the format required, or (iii) the health care entity determines that the integrity of the records could be compromised in the electronic format requested.

Status:

03/03/11 House: Bill text as passed House and Senate (HB2515ER)
03/03/11 House: Signed by Speaker
03/06/11 Senate: Signed by President
03/26/11 Governor: Approved by Governor-Chapter 668 (effective 7/1/11)
03/26/11 Governor: Acts of Assembly Chapter text (CHAP0668)

HB2517 Budget bill; basis for preparation.

Chief Patron: Lewis

Summary:

Requires the Budget Bill for the 2012-2014 biennium and future Budget Bills to be prepared and formulated utilizing zero-based budgeting principles.

Status:

01/21/11 House: Presented and ordered printed 11103798D
01/21/11 House: Referred to Committee on Appropriations
01/24/11 House: Assigned App. sub: Technology Oversight and Government Activities
02/01/11 House: Impact statement from DPB (HB2517)
02/08/11 House: Left in Appropriations

HJ733 FERPA and HIPAA, federal; urges Congress to restore in loco parentis, etc.

Companion Bill: SJ399

Chief Patron: Howell, W.J.

Summary:

Urges Congress to restore *in loco parentis* at institutions of higher education and to require parental notification of destructive and illegal student behaviors by amending the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) and the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L. 104-191).

Status:

01/31/11 House: Agreed to by House (88-Y 9-N 1-A)
01/31/11 House: VOTE: ADOPTION (88-Y 9-N 1-A)
02/01/11 Senate: Reading waived
02/01/11 Senate: Referred to Committee on Rules
02/21/11 Senate: Left in Rules

HJ950 Commending the Honorable Lewis F. Payne.

Chief Patron: Toscano

Status:

02/23/11 Senate: Laid on Clerk's Desk
02/24/11 House: Introduced bill reprinted 11105501D
02/25/11 Senate: Agreed to by Senate by voice vote

02/25/11 House: Bill text as passed House and Senate (HJ950ER)

HR44 Commending E.D. Hirsch.

Chief Patron: Ware, R.L.

Status:

12/17/10 House: Prefiled and laid on Speaker's table; offered 01/12/11 11101443D

01/14/11 House: Engrossed by House

01/14/11 House: Agreed to by House by voice vote

01/14/11 House: Introduced bill reprinted 11101443D

01/14/11 House: Bill text as passed House (HR44ER)

SB747 Nondiscrimination in state employment; prohibited based on race, color, religion, etc.

Chief Patron: McEachin

Summary:

Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

Status:

02/10/11 House: Read first time

02/10/11 House: Referred to Committee on General Laws

02/14/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/15/11 House: Subcommittee recommends laying on the table

02/22/11 House: Left in General Laws

SB759 Workers' compensation; compensable consequences.

Chief Patron: Reynolds

Summary:

Establishes a rebuttable presumption that a subsequent injury to an employee is a compensable consequence of the employee's primary injury if the subsequent injury is to a body part or system that sustained a primary injury that (i) was accepted as compensable by the employer or (ii) was found to be compensable by the Workers' Compensation Commission. An employer may rebut this presumption by clear and convincing evidence that the subsequent injury is not causally connected to the primary injury because the injury is not a natural consequence that flows from the primary injury or that the injury is the result of an independent intervening cause attributable to the employee's own intentional conduct. The measure also provides that the period in which an employee may request the Commission to review a prior award based on a change in conditions in claims for medical treatment for a subsequent injury that is a compensable consequence of a primary injury is 24 months after the last to occur of the date of the employer's last

payment of indemnity compensation or the last payment of any medical benefits. Currently, the limitation period for claims asserting such a change in conditions is 24 months from the last day for which compensation was paid.

Status:

12/07/10 Senate: Prefiled and ordered printed; offered 01/12/11 11100661D

12/07/10 Senate: Referred to Committee on Commerce and Labor

01/18/11 Senate: Impact statement from DPB (SB759)

02/08/11 Senate: Left in Commerce and Labor

SB797 Human Rights Act; adds sexual orientation to definition of unlawful discriminatory practice.

Chief Patron: Locke

Summary:

Adds sexual orientation to the definition of unlawful discriminatory practice.

Status:

12/29/10 Senate: Prefiled and ordered printed; offered 01/12/11 11101727D

12/29/10 Senate: Referred to Committee on General Laws and Technology

01/19/11 Senate: Impact statement from DPB (SB797)

01/26/11 Senate: Failed to report (defeated) in General Laws and Technology (7-Y 7-N)

SB812 Virginia Freedom of Information Act; access to salary information, etc., of public employees.

Chief Patron: Martin

Summary:

Allows public access to the records of only the job position, official salary, or rate of pay of, and the allowances or reimbursements for expenses paid to, any officer, official, or employee of a public body. The bill specifically excludes the name of any such officer, official, or employee from disclosure.

Status:

01/05/11 Senate: Referred to Committee on General Laws and Technology

01/19/11 Senate: Impact statement from DPB (SB812)

01/26/11 Senate: Assigned GL&T sub: FOIA/Conflict of Interest

02/02/11 Senate: Passed by indefinitely in General Laws and Technology with letter (14-Y 0-N)

02/02/11 Senate: Letter sent to Freedom of Information Advisory Council

SB818 Certificate of public need; exempts construction of an outpatient radiation therapy facility, etc.

Chief Patron: McEachin

Summary:

Exempts the construction of an outpatient radiation therapy facility, and the upgrade of the facility's equipment, from the certificate of public need requirements.

Status:

01/06/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100532D

01/06/11 Senate: Referred to Committee on Education and Health

01/12/11 Senate: Assigned Education sub: Health Licensing
01/26/11 Senate: Impact statement from DPB (SB818)
02/03/11 Senate: Stricken at request of patron in Education and Health (15-Y 0-N)

SB823 Workers' compensation; presumption that certain injuries are work related.

Companion Bill: HB1475

Chief Patron: Edwards

Summary:

Creates a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related. The presumption arises in a claim under the Workers' Compensation Act where an employee is physically or mentally unable to testify and there is unrebutted prima facie evidence that the injury was work related. HB 1475 is identical.

Status:

02/24/11 Senate: Impact statement from DPB (SB823ER)
02/24/11 House: Signed by Speaker
02/24/11 Senate: Signed by President
03/20/11 Governor: Approved by Governor-Chapter 304 (effective 7/1/11)
03/20/11 Governor: Acts of Assembly Chapter text (CHAP0304)

SB824 Tuition, in-state; waiver of one-year residency requirement for veterans.

Companion Bill: HB1861

Chief Patron: Edwards

Summary:

Authorizes certain veterans who elect to establish Virginia as their permanent residence for domiciliary purposes to establish immediate residency in Virginia and become eligible for in-state tuition, rather than waiting the required one-year period. This bill incorporates SB 1289 and SB 1391 and is identical to HB 1861 (Anderson).

Status:

02/15/11 House: Signed by Speaker
02/16/11 Senate: Signed by President
02/18/11 Senate: Impact statement from DPB (SB824ER)
03/10/11 Governor: Approved by Governor-Chapter 44 (effective 7/1/11)
03/10/11 Governor: Acts of Assembly Chapter text (CHAP0044)

SB831 Virginia Fraud Against Taxpayers Act; issuance of civil investigative demands.

Chief Patron: Petersen

Summary:

Provides that the Attorney General may not issue a civil investigative demand to a Virginia public institution of higher education when the claim relates to a matter of academic inquiry or research. This bill incorporates SB 1314.

Status:

02/07/11 House: Read first time
02/07/11 House: Referred to Committee for Courts of Justice
02/07/11 House: Assigned Courts sub: #2 Civil

02/16/11 House: Subcommittee recommends laying on the table

02/22/11 House: Left in Courts of Justice

SB832 Green Public Buildings Act; definitions, building standards.

Companion Bill: HB1817

Chief Patron: Petersen

Summary:

Requires executive branch agencies and institutions entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, conform to Virginia Energy Conservation and Environmental Standards developed by the Department of General Services considering the U.S. Green Building Council (LEED) green building rating standard, the Green Building Initiative "Green Globes" building standard, and other appropriate requirements. Exemptions from the requirement may be granted by the Director of the Department of General Services upon a finding of special circumstances that make construction or renovation to the standards impracticable.

Status:

02/02/11 Senate: Read third time and passed Senate (34-Y 6-N)

02/07/11 House: Placed on Calendar

02/07/11 House: Read first time

02/07/11 House: Referred to Committee on General Laws

02/22/11 House: Left in General Laws

SB839 Homestead exemptions; adds one firearm, not to exceed \$3,000 value, to list of exemptions.

Companion Bill: HB1422

Chief Patron: Petersen

Summary:

Adds one family firearm, not to exceed \$3,000 in value, to the list of items that every householder shall be entitled to hold exempt from creditor process. The bill also increases the maximum exemption for a motor vehicle from \$2,000 to \$6,000. This bill is identical to HB 1422.

Status:

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 House: Enacted, Chapter 835 (effective 7/1/11)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0835)

SB877 Family or household member; redefines and expands definition.

Chief Patron: Reynolds

Summary:

Redefines the definition of "family or household member" to include (1) a person's in-laws regardless of whether the in-laws reside in the same house as the person and (2) any individual who is or was involved in a continuing relationship of a romantic or intimate nature with the person. Expanding the definition of "family or household

member" implicates crimes for which a family or household member is a victim (e.g., assault and battery against a family member) and protective orders under which a person may be protected (e.g., protective orders in cases of family abuse). This bill has been incorporated into SB 1222.

Status:

01/10/11 Senate: Referred to Committee for Courts of Justice
01/11/11 Senate: Impact statement from VCSC (SB877)
01/12/11 Senate: Assigned Courts sub: Criminal
01/19/11 Senate: Impact statement from DPB (SB877)
01/26/11 Senate: Incorporated by Courts of Justice (SB1222-Barker) (15-Y 0-N)

SB939 Visitors, boards of; adds two members to each public college and university.

Chief Patron: Miller, J.C.

Summary:

Adds two members to the boards of visitors of each public college and university, to be chosen by the other members.

Status:

01/10/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102422D
01/10/11 Senate: Referred to Committee on Education and Health
01/12/11 Senate: Assigned Education sub: Higher Education
01/20/11 Senate: Impact statement from DPB (SB939)
01/27/11 Senate: Passed by indefinitely in Education and Health (15-Y 0-N)

SB960 Children's hospitals; definition.

Chief Patron: Northam

Summary:

Defines "children's hospital" as a hospital (i) whose inpatients are predominantly under 18 years of age and (ii) which is excluded from the Medicare prospective payment system pursuant to the Social Security Act.

Status:

02/16/11 Senate: Bill text as passed Senate and House (SB960ER)
02/16/11 Senate: Signed by President
02/16/11 House: Signed by Speaker
03/24/11 Governor: Approved by Governor-Chapter 433 (effective 7/1/11)
03/24/11 Governor: Acts of Assembly Chapter text (CHAP0433)

SB1008 Retirement System; creates an optional defined contribution retirement plan for state employees.

Chief Patron: Watkins

Summary:

Creates an optional defined contribution retirement plan for state employees. The Commonwealth would contribute to the defined contribution account of each employee as follows: (i) the Commonwealth would contribute two percent of the employee's salary with no contribution required of the employee; (ii) if the employee contributes to his defined contribution account, the Commonwealth would match the employee's contributions at a rate of 100 percent up to the

first five percent of the employee's salary, which would be in addition to the Commonwealth's contribution under clause (i); and (iii) if the employee contributes more than five percent of his salary, the Commonwealth would match the employee's contributions at a rate of 50 percent for the employee's contributions that are in excess of five percent of his salary but not in excess of eight percent of the employee's salary, which would be in addition to the Commonwealth's contributions under clauses (i) and (ii). The bill allows political subdivisions that participate in the Virginia Retirement System to establish a substantially similar defined contribution plan.

Status:

01/11/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103564D

01/11/11 Senate: Referred to Committee on Finance

01/31/11 Senate: Impact statement from VRS (SB1008)

02/02/11 Senate: Passed by indefinitely in Finance (11-Y 3-N)

SB1074 Tuition, in-state; person of other state meeting requirements called to National Guard is eligible.

Chief Patron: Barker

Summary:

Provides in-state tuition for any person who met the requirements for in-state tuition prior to being called to active duty in the National Guard of another state following completion of active duty service if during active duty that person maintained one or more of the following in Virginia rather than in another state or jurisdiction: a driver's license, motor vehicle registration, voter registration, employment, property ownership, or sources of financial support.

Status:

03/03/11 Senate: Impact statement from DPB (SB1074ER)

03/03/11 House: Signed by Speaker

03/06/11 Senate: Signed by President

03/22/11 Governor: Approved by Governor-Chapter 376 (effective 7/1/11)

03/22/11 Governor: Acts of Assembly Chapter text (CHAP0376)

SB1110 UVA; to make full use of additional financial authority granted in management agreement.

Companion Bill: HB2140

Chief Patron: Wampler

Summary:

Clarifies that the University of Virginia is authorized to make full use of the additional financial and operational authority granted to it in its management agreement in providing assistance to the Southwest Virginia Higher Education Center. This bill is identical to HB 2140 (Johnson).

Status:

02/15/11 House: Signed by Speaker

02/16/11 Senate: Signed by President

02/25/11 Senate: Impact statement from DPB (SB1110ER)

03/15/11 Governor: Approved by Governor-Chapter 161 (effective 7/1/11)

03/15/11 Governor: Acts of Assembly Chapter text (CHAP0161)

SB1115 Retirement System; optional defined contribution retirement program for state & local employees.

Companion Bill: HB2410

Chief Patron: Watkins

Summary:

Creates an optional defined contribution retirement program for state and local employees beginning January 1, 2012.

Status:

01/11/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103656D

01/11/11 Senate: Referred to Committee on Finance

01/29/11 Senate: Impact statement from VRS (SB1115)

02/02/11 Senate: Passed by indefinitely in Finance (11-Y 3-N)

SB1122 State employees; health insurance benefits.

Chief Patron: McEachin

Summary:

Provides that the health insurance coverage that may be purchased by state employees for families and dependents may include coverage for any other person to whom coverage may be extended pursuant to § 38.2-3525 of the Code of Virginia.

Status:

02/10/11 House: Read first time

02/10/11 House: Referred to Committee on General Laws

02/14/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/15/11 House: Subcommittee recommends laying on the table

02/22/11 House: Left in General Laws

SB1173 Planning and Budget, Department of; reestimate of agency needs.

Chief Patron: Marsden

Summary:

Provides that within five business days after the preliminary close of the Commonwealth's accounts at the end of each fiscal year, each of the several state agencies and other agencies and undertakings receiving financial aid from the Commonwealth shall report to the Department of Planning and Budget, in a format prescribed for such purpose, an estimate of cost reductions that may be accomplished by the agency without diminution of the services or programs provided by the agency. Of the reductions so identified, 50 percent shall be retained by the agency for its use; the remaining 50 percent shall be returned to the general fund to be directed first (i) to the revenue stabilization fund created in accordance with Article X, § 8 of the Constitution of Virginia and thereafter (ii) to debt relief. Any moneys retained by an agency which have not been spent at the end of three quarters of the next fiscal year shall revert to the general fund.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103456D

01/12/11 Senate: Referred to Committee on Finance

01/18/11 Senate: Impact statement from DPB (SB1173)

02/08/11 Senate: Left in Finance

SB1183 Legislative sessions; no bills may introduced in an odd-year regular session, exception.

Chief Patron: Norment

Summary:

Provides that no bills may be introduced in an odd-year regular session except (i) amendments to the biennial budget, (ii) constitutional amendments, (iii) legislation continued from the even-year regular session immediately preceding an odd-year regular session, (iv) emergency legislation requested by the Governor or introduced by a member of the General Assembly upon the unanimous consent of the house of introduction, (v) legislation pertaining to procedural matters, and (vi) commending and memorial resolutions.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103570D

01/12/11 Senate: Referred to Committee on Rules

01/26/11 Senate: Assigned Rules sub: #1

02/04/11 Senate: Failed to report (defeated) in Rules (4-Y 12-N)

SB1219 Medical services at hospitals; charges by physician & surgeon who are not members of provider panel.

Chief Patron: Barker

Summary:

Requires a hospital that is a participating provider under a health insurance policy, contract, or plan to notify enrollees who are admitted for hospitalization of any physicians or surgeons who provide medical services at the hospital in the regular course of their practice and who are not members of a provider panel under the contract, policy, or plan. Such nonparticipating physicians and surgeons are required to inform enrollees admitted for hospitalization that they do not participate in a provider panel under the policy, contract, or plan and that the enrollee may be liable for the portion of his charges that exceeds the amount paid by the carrier for his services. Such providers are prohibited from billing an enrollee for any amount by which their charges for covered services exceed the amount paid by the carrier for the services unless the enrollee consented in writing, prior to receiving such services, to the use of his services.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102971D

01/12/11 Senate: Referred to Committee on Education and Health

01/18/11 Senate: Assigned Education sub: Health Licensing

02/03/11 Senate: Passed by indefinitely in Education and Health with letter (15-Y 0-N)

02/03/11 Senate: Letter sent to Secretary of Health and Human Resources

SB1222 Protective orders; expands class of persons eligible to obtain.

Companion Bill: HB2063

Chief Patron: Barker

Summary:

Renames "protective orders for stalking" as "protective orders" and expands the class of persons that is eligible to

obtain a protective order by enlarging the types of conduct that permit the issuance of a protective order from certain specified criminal acts to any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury. Such protective orders are available based on such conduct, regardless of the relationship of the parties involved. The bill also makes several amendments to make protective orders and family abuse protective orders more consistent, including amending the definition of “family abuse” to be consistent with the conduct that would allow for the issuance of a “protective order” and providing that a family abuse protective order may include a condition prohibiting the allegedly abusing person from committing a criminal offense that results in injury to person or property. The bill also makes the penalties for violating a protective order consistent with the penalties for violating a family abuse protective order: (i) any person convicted of a second violation of a protective order, when the offense is committed within five years of a conviction for a prior offense and when either the instant or prior offense was based on an act or threat of violence, shall be sentenced to a mandatory minimum term of confinement of 60 days; (ii) any person convicted of a third or subsequent offense, when such offense is committed within 20 years of the first conviction and when either the instant or any of the prior offenses was based on an act or threat of violence, is guilty of a Class 6 felony and punishment shall include a mandatory minimum term of confinement of six months; (iii) any person who commits an assault and battery resulting in serious bodily injury upon a person protected by a protective order is guilty of a Class 6 felony; and (iv) any person who violates a protective order by furtively entering the home of the protected party while such party is present or enters and remains in such home until the protected party arrives is guilty of a Class 6 felony. This bill incorporates SB 877, SB 1091 and SB 1364. This bill is identical to HB 2063.

Status:

03/04/11 Senate: Impact statement from VCSC (SB1222ER)
03/06/11 Senate: Signed by President
03/24/11 Governor: Approved by Governor-Chapter 445 (effective 7/1/11)
03/24/11 Governor: Acts of Assembly Chapter text (CHAP0445)
03/29/11 Senate: Impact statement from DPB (SB1222ER)

SB1245 Registered nurses; provisional licensure for applicant.

Chief Patron: Vogel

Summary:

Allows the Board of Nursing to issue a provisional license to an applicant for licensure as a registered nurse who has met the educational and examination requirements for licensure, in order to allow the applicant to obtain clinical experience. A person practicing under a provisional license shall only practice under the supervision of a licensed registered nurse, in accordance with regulations established by the Board.

Status:

02/25/11 Senate: Impact statement from DPB (SB1245ER)
02/25/11 House: Signed by Speaker
02/25/11 Senate: Signed by President
03/26/11 Governor: Approved by Governor-Chapter 712 (effective 7/1/11)
03/26/11 Governor: Acts of Assembly Chapter text (CHAP0712)

SB1250 Firearms; regulation by state entities.

Chief Patron: Vogel

Summary:

Prohibits any department, agency, or other entity of the Commonwealth from adopting or enforcing any rule, regulation, or policy regarding firearms or ammunition except for those rules, regulations, or policies expressly authorized by statute. Any rule, regulation, or policy adopted prior to July 1, 2011, without express statutory authority would be invalid. The prohibition would not apply to local, state, or regional correctional facilities or facilities operated by the Department of Behavioral Health and Developmental Services.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100908D

01/12/11 Senate: Referred to Committee on Rules

01/26/11 Senate: Assigned Rules sub: #1

02/04/11 Senate: Passed by indefinitely in Rules (12-Y 2-N)

SB1279 Tuition, in-state; eligibility for spouse of an active duty military service member.

Companion Bill: HB1848

Chief Patron: McWaters

Summary:

Ensures that the established Virginia domicile of a spouse of an active duty United States military service member, and therefore in-state tuition eligibility, must not be affected by the establishment and maintenance of a place of residence in another jurisdiction for the purpose of maintaining a joint household with such member. The bill also provides that the spouse of an active duty United States military service member, if such spouse has established domicile and claimed a dependent student on federal or state income tax returns, must not be subject to minimum income tests or requirements. This bill is identical to HB 1848 (Stolle).

Status:

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 House: Enacted, Chapter 860 (effective 7/1/11)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0860)

SB1280 Boards, commissions, and councils; makes policy improvements and clarifications.

Companion Bill: HB1842

Chief Patron: McWaters

Summary:

Makes policy improvements and clarifications to several state boards, commissions, and councils including (i) establishing staggered terms for nonlegislative citizen members appointed by the Governor, (ii) clarifying the Governor's authority when provided lists of nominees by nongovernmental entities, and (iii) standardizing the terms of chairmen of entities appointed by the Governor to two years. This bill is identical to HB 1842.

Status:

03/03/11 House: Signed by Speaker

03/04/11 Senate: Impact statement from DPB (SB1280ER)

03/06/11 Senate: Signed by President

03/26/11 Governor: Approved by Governor-Chapter 714 (effective 7/1/11)

03/26/11 Governor: Acts of Assembly Chapter text (CHAP0714)

SB1289 Tuition; eligibility for in-state veterans who elect to establish Virginia residence.

Chief Patron: McWaters

Summary:

Authorizes certain veterans who elect to establish Virginia as their permanent residence for domiciliary purposes to establish immediate residency in Virginia and become eligible for in-state tuition, rather than waiting the required one-year period. This bill was incorporated into SB 824.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102788D

01/12/11 Senate: Referred to Committee on Education and Health

01/20/11 Senate: Incorporated by Education and Health (SB824-Edwards) (13-Y 0-N)

SB1314 Fraud Against Taxpayers Act; repeals certain authority of Attorney General.

Chief Patron: McEachin

Summary:

Repeals the authority of the Attorney General to issue civil investigative demands.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100093D

01/12/11 Senate: Referred to Committee for Courts of Justice

01/18/11 Senate: Assigned Courts sub: Civil

01/31/11 Senate: Incorporated by Courts of Justice (SB831-Petersen) (15-Y 0-N)

SB1322 Virginia Research and Technology Investment Program; created, report.

Chief Patron: Newman

Summary:

Creates the Virginia Research and Technology Investment Program, consisting of the Commonwealth Research Commercialization Fund (CRCF) and the GAP Fund program administered by the Innovation and Entrepreneurship Investment Authority. The bill makes significant changes to the existing CRCF, including creating a Commercialization Subfund, a Research Match Subfund, and an Eminent Scholar Subfund, and sets up a new process for the application, review, and award of funds from the CRCF. This bill was incorporated by SB 1485.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101367D

01/12/11 Senate: Referred to Committee on General Laws and Technology

01/26/11 Senate: Impact statement from DPB (SB1322)

02/02/11 Senate: Incorporated by General Laws and Technology (SB1485-Newman) (14-Y 0-N)

SB1363 Two-Year College Transfer Grant Program; increases amount, students enrollment requirements.

Chief Patron: Stosch

Summary:

Increases the amount of the grant from \$1,000 to \$1,500, federal Expected Family Contribution threshold from \$8,000 to \$12,000, and requires the students who receive the grant to maintain the continued enrollment requirements at the institution to which they have transferred, rather than meeting a specific GPA requirement.

Status:

02/14/11 House: Reported from Education (22-Y 0-N)
02/14/11 House: Referred to Committee on Appropriations
02/15/11 House: Assigned App. sub: Higher Education
02/21/11 House: Subcommittee recommends laying on the table
02/22/11 House: Left in Appropriations

SB1371 Capital outlay plan; sets forth 6-year plan for project funded entirely from general fund resources.

Companion Bill: HB2496

Chief Patron: Colgan

Summary:

Sets forth a six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Status:

02/24/11 House: Delegates: Putney, Jones, Joannou
02/24/11 Senate: Conferees appointed by Senate
02/24/11 Senate: Senators: Colgan, Hanger, Marsh
02/27/11 Senate: No further action taken
02/27/11 Senate: Failed to pass in Senate

SB1391 Tuition, in-state; eligibility for veterans who elect to establish Virginia as residence.

Chief Patron: Barker

Summary:

Authorizes certain veterans who elect to establish Virginia as their permanent residence for domiciliary purposes to establish immediate residency in Virginia and become eligible for in-state tuition, rather than waiting the required one-year period. This bill was incorporated into SB 824.

Status:

01/17/11 Senate: Presented and ordered printed 11103915D
01/17/11 Senate: Referred to Committee on Education and Health
01/20/11 Senate: Incorporated by Education and Health (SB824-Edwards) (13-Y 0-N)

SB1420 Controlled substances; mandatory reporting by prescriber.

Chief Patron: Reynolds

Summary:

Requires, rather than authorizes, prescribers of controlled substances to notify law enforcement when they have reason to suspect that a person has obtained or attempted to obtain a controlled substance or prescription for a controlled substance by fraud or deceit.

Status:

01/20/11 Senate: Presented and ordered printed 11103543D
01/20/11 Senate: Referred to Committee on Education and Health
01/27/11 Senate: Assigned Education sub: Health Care
02/03/11 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

SB1428 Six-Year Capital Outlay Plan; process by which agencies' requests for capital project are presented.

Companion Bill: HB2328

Chief Patron: Marsh

Summary:

Specifies the process by which agencies' requests for capital projects are presented to the Six-Year Capital Outlay Plan Advisory Committee and the process the Advisory Committee shall follow.

Status:

03/03/11 House: Signed by Speaker
03/06/11 Senate: Signed by President
03/09/11 Senate: Impact statement from DPB (SB1428ER)
03/26/11 Governor: Approved by Governor-Chapter 718 (effective 7/1/11)
03/26/11 Governor: Acts of Assembly Chapter text (CHAP0718)

SB1440 Commonwealth Innovation Investment Fund; created, report.

Chief Patron: Herring

Summary:

Creates the Commonwealth Innovation Investment Fund. The Fund will be administered by the Innovation and Entrepreneurship Investment Authority to create, attract, retain, expand, and enhance technology research, innovation, and economic development in the Commonwealth. Beginning in 2013, the Fund will receive a portion of the income taxes withheld by science and innovation companies that employ persons in the Commonwealth. The percentage of the withheld taxes allocated to the Fund will be based on a percentage of the difference between the current year's withheld taxes and the amount withheld in 2012, the baseline year.

Status:

01/21/11 Senate: Presented and ordered printed 11104213D
01/21/11 Senate: Referred to Committee on Finance
01/31/11 Senate: Impact statement from DPB (SB1440)
02/02/11 Senate: Passed by indefinitely in Finance with letter (9-Y 3-N 1-A)
02/02/11 Senate: Letter sent to the Joint Legislative Audit and Review Commission

SB1459 Virginia Higher Education Opportunity Act of 2011; established, report.

Companion Bill: HB2510

Chief Patron: Houck

Summary:

Establishes the Virginia Higher Education Opportunity Act of 2011 for the purpose of fueling strong economic growth in the Commonwealth and preparing Virginians for the top job opportunities in the knowledge-driven economy of the 21st century. The bill provides for (i) a new higher education funding policy; (ii) the calculation of the state general fund share of an institution's basic operations and instruction funding need; (iii) per student enrollment-based funding; (iv) targeted economic and innovation incentives; (v) the creation of a STEM Public-Private Partnership; and (vi) the creation of a Higher Education Advisory Committee. The bill also makes technical amendments. This bill is a recommendation of the Governor's Commission on Higher Education Reform, Innovation and Investment. This bill is identical to HB 2510.

Status:

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 House: Enacted, Chapter 869 (effective 7/1/11)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0869)

SB1467 Freedom of Information Act; criminal investigative records.

Chief Patron: Edwards

Summary:

Amends the definition of "criminal investigative file" so that the exemption applies to records relating to active or ongoing investigations or prosecutions.

Status:

01/21/11 Senate: Referred to Committee on General Laws and Technology

01/26/11 Senate: Assigned GL&T sub: FOIA/Conflict of Interest

01/28/11 Senate: Impact statement from DPB (SB1467)

02/02/11 Senate: Passed by indefinitely in General Laws and Technology with letter (14-Y 0-N)

02/02/11 Senate: Letter sent to Freedom of Information Advisory Council

SB1477 Inspector General, Office of State; established.

Companion Bill: HB2076

Chief Patron: Stosch

Summary:

Establishes the Office of the State Inspector General to be headed by a State Inspector General to investigate complaints alleging fraud, waste, abuse, or corruption by a state agency or nonstate agency or the officers and employees thereof. The bill also authorizes the State Inspector General to examine the management and operation of state agencies. The bill defines "nonstate agency" and provides a record exemption under the Freedom of Information Act for certain investigative/audit documents of the Office. The bill consolidates the offices of inspector general of the

Departments of Behavioral Health and Developmental Services, Corrections, Juvenile Justice, and Transportation and the Department of the State Internal Auditor into this new office, and adds responsibility for tobacco indemnification and revitalization. The bill contains technical amendments and has a delayed effective date. The bill is identical to HB 2076.

Status:

04/06/11 Senate: Signed by President as reenrolled

04/06/11 House: Signed by Speaker as reenrolled

04/06/11 House: Enacted, Chapter 871 (effective - see bill)

04/06/11 Governor: Acts of Assembly Chapter text (CHAP0871)

SB1484 Restructured Higher Education Financial and Administrative Operations Act; use of nongeneral fund.

Chief Patron: Watkins

Summary:

Provides that nongeneral fund revenues of institutions of higher education under a management agreement pursuant to the Restructuring Act that are deposited in the state treasury shall only be expended for the educational and general or auxiliary enterprise purposes for which they were received. Such revenues shall in no case be transferred to the general fund.

Status:

02/14/11 House: Referred to Committee on Appropriations

02/15/11 House: Assigned App. sub: Higher Education

02/15/11 Senate: Impact statement from DPB (SB1484)

02/21/11 House: Subcommittee recommends laying on the table

02/22/11 House: Left in Appropriations

SB1485 Investment in research and technology; expands Commonwealth Research Commercialization Fund, etc.

Companion Bill: HB2324

Chief Patron: Newman

Summary:

Amends the Commonwealth Research Commercialization Fund (CRCF) to allow for awards for a matching funds program and an eminent researcher program. The bill also expands upon the Innovation and Entrepreneurship Investment Authority's (IEIA) current responsibility to develop a strategic roadmap for research in the Commonwealth. The roadmap shall identify areas of focus for research investment in the Commonwealth based upon criteria set forth in the bill, and any awards from the CRCF must fall into one of these areas of focus. The bill establishes a Research and Technology Investment Advisory Committee to assist the IEIA in making awards from the CRCF by ensuring that applications considered for awards are based upon sound science and research, are in an area of focus identified in the roadmap, and present significant potential for commercialization in the Commonwealth. This bill incorporates SB 1322. This bill is identical to HB 2324.

Status:

04/06/11 Senate: Signed by President as reenrolled
04/06/11 House: Signed by Speaker as reenrolled
04/06/11 House: Enacted, Chapter 874 (effective 4/6/11)
04/06/11 Governor: Acts of Assembly Chapter text (CHAP0874)

SJ325 Governor; confirming appointments.

Chief Patron: Howell

Summary:

Confirms interim appointments made by Governor McDonnell of certain persons and communicated to the General Assembly August 2, 2010.

Status:

02/07/11 House: Passed by for the day
02/08/11 House: Taken up
02/08/11 House: Agreed to by House (99-Y 0-N)
02/08/11 House: VOTE: ADOPTION (99-Y 0-N)
03/07/11 Senate: Bill text as passed Senate and House (SJ325ER)

SJ354 State employee compensation; JLARC to study salary structure and pay.

Chief Patron: Obenshain

Summary:

Provides for the Joint Legislative Audit and Review Commission to study the salary structure and pay of state employees compared with similarly situated private sector employees.

Status:

02/07/11 House: Placed on Calendar
02/07/11 House: Referred to Committee on Rules
02/10/11 House: Assigned Rules sub: #3 Studies
02/15/11 House: Subcommittee recommends laying on the table
02/21/11 House: Left in Rules

SJ355 Zero-based budgeting; requesting Governor to consider, report.

Chief Patron: Deeds

Summary:

Requests that the Governor, through the Commission on Government Reform and Restructuring, consider the cost savings that may be achieved through zero-based budgeting.

Status:

02/01/11 Senate: Printed as engrossed 11103994D-E
02/02/11 Senate: Read third time and agreed to by Senate by voice vote
02/07/11 House: Placed on Calendar
02/07/11 House: Referred to Committee on Rules

02/17/11 House: Tabled in Rules

SJ361 Constitutional amendment; limitation on debt (first reference).

Chief Patron: Saslaw

Summary:

Provides that in any ten fiscal year period beginning with fiscal years of the Commonwealth starting on or after July 1, 2012, no more than the amount computed by first multiplying each year's realized and projected blended revenues by five percent and then taking an average of the resulting products would be used directly or indirectly for principal, interest, or other payments on debt. The bill defines debt as any debt issued or entered into for transportation projects and purposes, public buildings, or capital leases and other long-term obligations primarily secured by blended revenues.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101411D

01/12/11 Senate: Referred to Committee on Privileges and Elections

01/14/11 Senate: Assigned to P&E sub: Constitutional Amendments, Reapportionment, Referenda

02/08/11 Senate: Left in Privileges and Elections

SJ396 Constitutional amendment; limitation on debt (first reference).

Chief Patron: Saslaw

Summary:

Provides that in any 10-fiscal-year period beginning with fiscal years of the Commonwealth starting on or after July 1, 2012, no more than five percent of projected blended revenues applicable to the 10-year period would be used directly or indirectly for principal, interest, or other payments on debt. In addition, no more than five percent of projected blended revenues for each year of the 10-year period would be included in the official estimates of the debt capacity of the Commonwealth.

Status:

01/21/11 Senate: Presented and ordered printed 11104257D

01/21/11 Senate: Referred to Committee on Privileges and Elections

01/26/11 Senate: Assigned to P&E sub: Constitutional Amendments, Reapportionment, Referenda

02/01/11 Senate: Stricken at request of Patron in Privileges and Elections (14-Y 0-N)

SJ399 FERPA and HIPAA, federal; urges Congress to restore in loco parentis, etc.

Companion Bill: HJ733

Chief Patron: Saslaw

Summary:

Urges Congress to restore *in loco parentis* at institutions of higher education and to require parental notification of destructive and illegal student behaviors by amending the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) and the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L. 104-191).

Status:

01/21/11 Senate: Presented and ordered printed 11104224D

01/21/11 Senate: Referred to Committee on Rules
01/26/11 Senate: Assigned Rules sub: #1
02/04/11 Senate: Passed by indefinitely in Rules